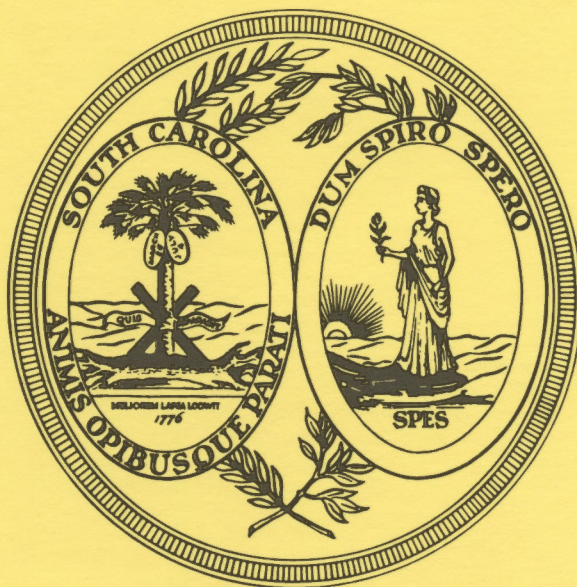


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SOUTH CAROLINA COASTAL COUNCIL



ANNUAL REPORT 1990-1991

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STATE DOCUMENTS

September 17, 1991

The Honorable Carroll Campbell
Office of the Governor
State of South Carolina
Post Office Box 11450
Columbia, South Carolina 29211

Dear Governor Campbell:

By way of this letter and the enclosed report, the South Carolina Coastal Council respectfully submits to you our annual report for fiscal year 1990-91, which ended on June 30, 1991.

Sincerely,

William W. Jones, Jr.

William W. Jones, Jr.
Chairman
South Carolina Coastal Council

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ANNUAL REPORT

I. STATUTORY AUTHORITY

The South Carolina Coastal Council was created by Act 123 of the 1977 South Carolina Legislature. This Act is codified as Section 48-39-10 et. seq. of the 1976 South Carolina Code of Laws as amended. The Act created an 18 member governing body which is empowered to employ a professional staff and develop and implement a comprehensive coastal management program.

The regulatory authority of the Coastal Council is divided into two parts (permitting and certification) and is limited to eight coastal counties: Beaufort, Jasper, Colleton, Berkeley, Charleston, Dorchester, Horry and Georgetown. In these counties, jurisdictional boundaries are established for the "critical areas" - the beaches, tidelands, and coastal waters. These areas are under the agency's direct permitting authority.

Outside of the critical area (but still within the eight coastal counties) the Coastal Council's planning and certification division reviews and must certify all state and federal activities (this includes loans, grants, licenses and permit applications) to ensure consistency with South Carolina's Coastal Zone Management Program. The agency has a Memoranda of Understanding with several state agencies to coordinate their cooperation with the permitting and certification program. Federal activities are handled in accordance with federal regulations (14 CFR 930).

The Coastal Council began implementing its program on September 28, 1977. The comprehensive Coastal Management Program created by the Council, with implementing procedural regulations, was approved by Governor Richard W. Riley following legislative adoption in February of 1979. In September of 1979, the program received formal federal approval from the U. S. Department of Commerce's Office of Oceans and Coastal Resources Management in ceremonies conducted in Beaufort's Waterfront Park. South Carolina's Coastal Zone Management Act was amended in 1988 and again in 1990. Both amendments strengthened the agency's beachfront policies and jurisdiction.

The central component of the federal Coastal Zone Management Act is a set of policies used to guide all development activities in this country's coastal zone. In an effort to protect our coastal resources, these policies, or performance standards, outline the ways in which proposed activities may be sited, constructed, or developed.

Federally approved state programs implement these policies. Federal goals and objectives are met through each state's careful adherence to federal program policies.

South Carolina's coastal program receives over half of its annual operating budget from the federal government, namely the Office of Oceans and Coastal Resource Management. Since program approval, the State has received \$14,057,312 in matching grants.

II. ONGOING PROGRAMS

The Coastal Council continues to implement South Carolina's Coastal Zone Management Act, including the permitting and certification program.

Permit applications may be obtained from the agency's Myrtle Beach, Charleston, or Beaufort office. For activities outside of the critical area, applicants apply to the proper permitting agency; that agency forwards necessary information to the Coastal Council.

Activities clearly addressed in the Act or by the elected Council are handled on a staff level. A situation is brought before the board if it is controversial, precedent setting, a Council member or government official requests it, or a Coastal Council sponsored public hearing was held regarding the matter.

The elected board is comprised of eighteen members. Two members represent the State Senate; two members represent the State House of Representatives; eight members represent the eight coastal counties; and there is one member from each of the six congressional districts. The board is divided into three standing committees (permitting, management, and administration and finance) and meets once per month. Special committees are formed when needed.

The following is a summary of the agency's ongoing programs:

a. Permitting

The permitting section of the program reviews all proposed changes or alterations to the critical area. Many involve requests to alter salt marsh. This is usually the case with applications that deal with docks, boat ramps, marinas, bridges, public or private roads, port expansions, etc. Alterations in the beach critical area, from the construction of a house to landscaping to beach nourishment, must conform to the standards prescribed by the Beachfront Management Act of 1990. Statistics for this department's activities can be found in Appendix A.

b. Certification and Planning

All development activities in the coastal counties that require a state or federal permit must be certified by the Coastal Council. This generally includes all new subdivisions, industries and commercial development. To be certified, a project must be consistent with the policies and guidelines in the Coastal Zone Management Plan. Coastal zone policies emphasize water quality protection through storm water management and wetland protection. Statistics for this department can be found in Appendix A.

c. Enforcement

The enforcement program of the Council was overhauled in mid-1991 to get more staff members involved and to make the process more efficient. The permitting and the enforcement staffs were merged and now each member performs functions of both. A senior biologist is still responsible for overseeing the enforcement effort.

There were 165 enforcement reports logged and filed from July 1, 1990 to June 30, 1991. Of these, 117 have been resolved and the files closed; a few are under appeal. Approximately 50 more were handled in the field by Council staff and compliance accomplished without having to file a formal investigation report. During this period there were also a large number of files that were initiated prior to July 1, 1990, that were resolved and the files closed.

In about one half of the remaining cases a settlement was reached and the agency is waiting to receive payment of a fine and/or completed restoration. For others, settlements are being negotiated.

d. Appeals

The Coastal Council has a very "approachable" program in that an administrative appeal process is available for all permitting and enforcement actions. During this report period the agency's legal staff was involved in 172 appeals.

e. Newsletter and Public Meetings

The Council publishes a newsletter of Council activities on a bi-monthly schedule. Approximately 2,000 copies of "Carolina Currents" are distributed each period. A Coastal Council produced "Legislative Update" is monthly when the State Legislature is in session. In addition, Council meetings are rotated among the eight coastal counties. Public attendance by interested citizens is encouraged at all meetings. When requested in writing by at least twenty citizens, public hearings are also held regarding individual permits.

Council staff members spoke to approximately 200 school, civic, and professional organizations throughout the state.

III. SPECIAL PROGRAMS

a. Implementing the Amended Coastal Zone Management Act

Council staff spent a great deal of time revising the beachfront jurisdictional lines as required by the 1990 amendments to the Beachfront Management Act. The methodology changed for setting these lines which necessitated a review of most of the lines which had previously been set in 1988. Also the law required that the lines be in their final form by July, 1991. The staff has worked hard to achieve this goal and was able to have the lines finalized in June.

In addition, the 1990 amendments changed the way structures (homes and erosion control devices) were treated by the law. The staff, working in conjunction with the Council, developed a number of interpretations and policy decisions on how to implement these changes and wrote permitting rules and regulations which were adopted by the General Assembly.

b. Marina Committee

The Marina Committee continues its work of revising the marina and associated regulations. After much work, it is hoped that the regulations will be ready to go before the Legislature in the upcoming session.

c. Regulations Committee

The Regulations Committee monitored the passage of regulations necessary to implement the 1990 amendments to the Coastal Zone Management Act and prepared drafts of amended marina and groin regulations. The marina and groin regulations will be considered by the General Assembly in January of 1992.

d. Shorefront and Special Area Management Plans (SAMP)

The Beachfront Management Act of 1988 required all local beachfront communities (cities and counties) to develop and implement comprehensive local beachfront management plans. These plans will contain beach profile and erosion data, an inventory of all beachfront structures, public access points, a land use plan, an analysis of beach erosion control alternatives, a drainage plan, a post-disaster plan, and a detailed strategy for achieving the goals of the legislation.

As of July 1, 1991, the following communities have submitted draft beachfront management plans: Myrtle Beach, North Myrtle Beach, Surfside Beach, Edisto Beach, Hilton Head Island, Atlantic Beach, Folly Beach, and Kiawah Island.

1. State Beachfront Management Plan

In January, 1991, the staff finalized the outline for the State Beachfront Management Plan and discussed this and the work schedule with the management committee. By July, 1991, the guidelines for beach access and dry sand beach were completed and approved by the Management Committee.

2. Ashley River SAMP

In April, 1990, the Coastal Council received a request from the SC Department of Archives and History to develop a joint SAMP for the historical portion of the Ashley River in Charleston and Dorchester counties. For the past few years, Coastal Council permit applications for this section of the river have become more controversial because of possible impacts of increased river usage and development on adjacent historical properties. Plan development began in June and includes participation from a wide variety of local governments and special interest groups. The plan is examining land use changes and the sensitivity of the historical properties to these changes. The draft plan was completed in late June with public hearings and reviews scheduled for August 1991.

e. Charleston Harbor Estuarine SAMP

In March, 1991, the Coastal Council officially began preparation of the Charleston Harbor Special Area Management Plan, known as the Charleston Harbor Project. The Project is being conducted by a staff of six, housed in office space adjacent to the Coastal Council office. The primary goals of the Project are (1) to maintain and enhance the quality of the environment in the Charleston Harbor estuary, including the Ashley, Cooper, Wando and Stono systems; and (2) to maintain the many uses of the waters and natural resources of the estuary system. The initial Project activities have focused on bringing many diverse interests into the Project, and developing a workable, collaborative process to establish Project goals, direction and activities. By the end of June, 1991, more than 200 individuals were participating in 12 topical task forces in this initial phase of Project development. Significantly, these efforts are based upon the concept of the estuary as a shared resource, that shapes and affects the entire Charleston region.

During the first year of the Project, the activities of the task forces have been supplemented with efforts to collect and evaluate baseline information across the range of topics covered by the Project - from water quality and biological resources to land use, storm water management, recreational uses and cultural resources. The Project has entered into contracts with the South Carolina Department of Health and Environmental Control, South Carolina Wildlife and Marine Resources Department, South Carolina Land Resources Commission and the Berkeley, Charleston, Dorchester Council of Governments for this purpose. Additional first year activities include development of a variety of public information and public education materials, with the assistance of the South Carolina Sea Grant Consortium, and development of a technical workshop series on land use issues and growth management for the fall.

f. Beach Monitoring Program

In order to obtain accurate measurements of the movement of our beaches, the agency maintains a state-wide beach monitoring program. Benchmarks (survey markers) are located every 1000 to 2000 feet along our shorefront and are surveyed twice per year. From this information, the stability of the beach is determined. The benchmarks and the information obtained from this program are an integral part of the new beachfront legislation and are used by surveyors and the staff to determine the Coastal Council jurisdictional boundaries.

g. Storm water Runoff Management

The Coastal Council reviews drainage plans for most of the residential, commercial and industrial developments constructed within the coastal zone. The purpose of this review is to insure that stormwater runoff from these projects will not have a degrading impact on adjacent marsh areas or water bodies. Water pollution control and prevention of sedimentation and erosion are the major points emphasized during this review.

During this report period the staff developed a joint pilot project with the South Carolina Department of Health and Environmental Control (DHEC) and the South Carolina Land Resources Commission. The goal of the project is to determine the sources of pollutants that caused shellfish grounds to close in an area adjacent to the Isle of Palms. This effort will receive funding in October 1991. In addition, the staff is in the process of reviewing the agency's storm water guidelines. Program compatibility with South Carolina Land Resources Commission and South Carolina Department of Health and Environmental Control policies are also being reviewed.

h. Teacher and Student Enrichment Program

The Coastal Council, in cooperation with the Friends of the Coast and the University of South Carolina, sponsor a series of upper level college credit courses for secondary school teachers. These coastal geology courses were held on weekends at various spots along the coast. The purpose of this program is to improve the quantity and quality of coastal environment education in our secondary schools.

i. Creek and Beach Watch Program

The Council initiated a Creek and Beach Watch program in March of 1986. Individuals or groups observe the coastal resources in their area and report problems or possible violations of the Coastal Zone Management Act to the Council's permitting staff. This program is an aid to the Council's enforcement program and an excellent educational tool.

j. National Estuarine Reserve Research System (NERRS)

The federal government's Marine and Estuarine Management Division has a program designed to protect pristine estuarine waters, marshes and shorelines for research and education. With help from the Coastal Council, two sites, the North Inlet/Winyah Bay site (the Baruch Institute property in Georgetown), and an area known as the ACE Basin (Ashepoo, Combahee and Edisto Rivers) are under consideration.

The Belle W. Baruch institute and the South Carolina Wildlife and Marine Resources Department are under contract to the Coastal Council to develop draft management plans for the two sites. The draft management plan and the final environmental impact statement have been completed for the ACE Basin with final approval expected in August 1991. Land acquisition and the approval of the final plan is anticipated by spring of 1992. A preliminary draft of the North Inlet plan has been prepared and is under review by NOAA with hearings to be scheduled in the fall of 1991.

Eventually both of these sites should become part of the National Estuarine Reserve Research System. Currently eighteen reserves in fifteen states and Puerto Rico have been designated.

South Carolina Coastal Council
1990/91

Senator John C. Hayes, III, Chairman

Senator Herbert U. Fielding

Representative Lenoir Sturkie

Representative R. Linwood Altman

Mr. J. Lynn McCants, 1st Congressional District

J. McCauley Bennett, 2nd Congressional District

Dr. Jack Scurry, 3rd Congressional District

Mr. Bradford W. Wyche, 4th Congressional District

Mr. James D. Leitner, Jr., 5th Congressional District

Mr. Delton W. Powers, Jr., 6th Congressional District

Mr. William W. Jones, Jr., Vice-Chairman, Beaufort County

Mr. Wallace W. Scott, Jr., Berkeley County

Mr. Bruce A. Berlinsky, Charleston County

Mr. Keith Kinard, Colleton County

Mr. Arthur Willis, Dorchester County

Mr. Robert Harper, Georgetown County

Mr. W. Sump Strickland, Horry County

Mr. Joe F. Vaigneur, Jasper County

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Planner III

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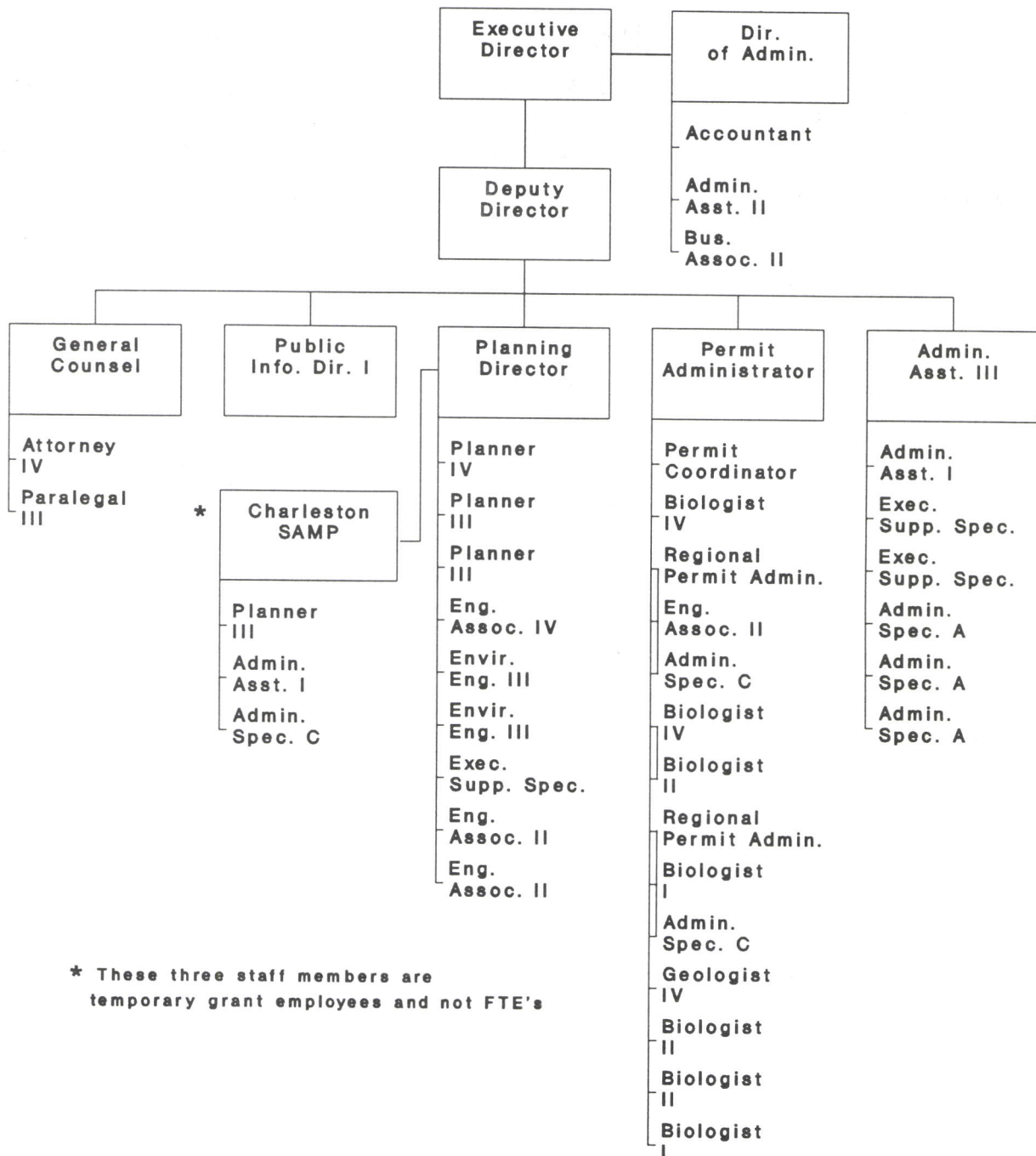
Jackie Wall
Executive Support Specialist

Joyce Lesemann
Administrative Specialist A

Joann Smith
Administrative Specialist A

Bobby Carpenter
Support Specialist (Part Time)

South Carolina Coastal Council Organizational Chart



SOUTH CAROLINA COASTAL COUNCIL

Expenditures for Fiscal Year 1990-1991

	<u>State Funds</u>	<u>Federal Funds</u>	<u>Total Funds</u>
Personal Services	623,584.58	770,727.99	1,394,312.57
Employer Contributions	135,982.53	158,017.46	293,999.99
Per Diem	<u>10,850.00</u>	<u>0.00</u>	<u>10,850.00</u>
Total Personal Services	770,417.11	928,745.45	1,699,162.56
Other Operating Expenses:			
Contractual Services	193,854.04	215,446.17	409,300.21
Supplies	119,414.34	21,689.08	141,103.42
Fixed Charges	216,056.71	113,734.57	329,791.28
Travel	85,899.84	12,630.32	98,530.16
Equipment	27,049.28	29,646.48	56,695.76
Light/Power/Heat	500.00	1,777.48	2,277.48
Transportation	<u>1,000.00</u>	<u>3,983.09</u>	<u>4,983.09</u>
Total Other Operating	643,774.21	398,907.19	1,042,681.40
Special Projects:			
USC - Beaufort	<u>100,000.00</u>	<u>0.00</u>	<u>100,000.00</u>
Total Special Projects	100,000.00	0.00	100,000.00
TOTAL COASTAL COUNCIL	<u><u>1,514,191.32</u></u>	<u><u>1,327,652.64</u></u>	<u><u>2,841,843.96</u></u>

VIII.

PUBLICATIONS LIST

1. Understanding Our Coastal Environment
2. The South Carolina Coastal Council
3. Coastal Access Guide
4. How to Build A Dune
5. Creek and Beach Watch
6. The Beachfront Management Act
7. coastal zone maps
8. Carolina Currents
9. Developer's Guide to Freshwater Wetlands
10. Rules and Regulations
11. Stormwater Management Guidelines
12. Guidelines of the South Carolina Coastal Management Program
13. South Carolina Coastal Management Program and Final Environmental Impact Statement

Note: A master file for all Coastal Council produced or sponsored publications or studies is also available. In addition, the Council maintains a library in the Charleston office which contains hundreds of technical reports, books and periodicals.

APPENDIX A

PERMITS processed by the Coastal Council from July 1, 1990, to June 30, 1991.

Direct Permits

non beachfront critical area	
permits issued	689
appealed	26
withdrawn/cancelled	20
beachfront critical area	32
beachfront general permits	60
special permits	27
notifications	59
total	913

CERTIFICATIONS of other state and federal permits by the Coastal Council from July 1, 1989 through June 30, 1990.*

Federal Permits 310

Certified	257
Denied	18
Active	24
Withdrawn	11

State Permits 819

Certified	761
Denied	0
Active	41
Withdrawn	17

*NOTE: Procedural changes with the South Carolina Department of Health and Environmental Control and the South Carolina Water Resources Commission during this report period reduced the number of state permits reviewed in detail by approximately 150. The total number of state permits reflects this reduction over the previous fiscal year.

Total Number of Documents Printed	<u>255</u>
Cost Per Unit	\$ <u>.93</u>
Printing Cost - S.C. State Budget & Control Board (up to 255 copies)	\$ <u>237.89</u>
Printing Cost - Individual Agency (requesting over 255 copies)	\$ <u>0</u>
Total Printing Cost	\$ <u>237.89</u>

